

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

OSCAR GARNER,

Plaintiff,

v.

OPINION and ORDER

BRIAN FOSTER, CAPT. TRITT, HSU MARCHANT,
JANE DOE, and JOHN DOE (1ST SHIFT SGT),

19-cv-618-jdp

Defendants.

This is the second of two cases that pro se litigant Oscar Garner filed against staff at Waupun Correctional Institution (WCI) alleging that they failed to provide him with adequate access to medication for his chronic migraine headaches. A few weeks after filing this case, Garner was released from WCI. He now lives in St. Louis, Missouri.

I recently dismissed Garner's first migraine medication-related case because he failed to prosecute it. *See Garner v. Tapio*, No. 19-cv-144, Dkt. 4 (W.D. Wis. Nov. 15, 2019). That raises questions about whether Garner still intends to pursue this second case. Before I screen the complaint under 28 U.S.C. §§ 1915 and 1915A, I will give Garner a short deadline by which to indicate in writing that he wishes to proceed with the suit. If Garner does not respond by the deadline below, I will dismiss the case for failure to prosecute.

ORDER

IT IS ORDERED that plaintiff Oscar Garner may have until December 24, 2019 to indicate in writing whether he wishes to proceed with this suit. If he does not respond by that date, this case will be dismissed for failure to prosecute.

Entered December 3, 2019.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge